

FILED

UNITED STATES DISTRICT COURT

MAR 17 2010

for the

Eastern District of North Carolina

DENNIS P. IAVARONE, CLERK
US DISTRICT COURT, EDNC
BY mm DEP CLKUnited States of America
v.
Jose Arturo GALLEGOS-GONZALEZ
aka: Jose Gonzalez-Galleros

Case No. 5:10mj 1240

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 12, 2010 in the county of Wake in the
Eastern District of North Carolina, the defendant(s) violated:Code Section
Title 8 U.S.C. 1325(a)Offense Description
being found in the United States after having entered at a place other than
designated by Immigration Officers, or eluded examination or inspection by
Immigration Officers

This criminal complaint is based on these facts:

See attached affidavit

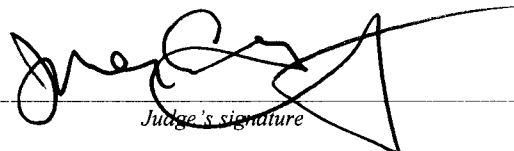
☒ Continued on the attached sheet.

Complainant's signature

Russell Spruance Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/17/2010

Judge's signature

City and state: Raleigh, NC

James E. Gates U. S. Magistrate

Printed name and title

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

AFFIDAVIT

1. I, Russell Spruance, am a Special Agent ("S/A") of the Department of Homeland Security under the Immigration and Customs Enforcement ("ICE"), formerly known as the Immigration and Naturalization Service ("INS"), assigned to the Cary, North Carolina office. I have been a Special Agent with the U.S. Federal Government for twenty years. I have training and experience in the application for and service of arrest and search warrants. My duties routinely include the investigation of violations of Title 8, Title 18, Title 19, Title 21, and Title 31 of the United States Code.

2. This affidavit is made in support of a criminal complaint against Jose Arturo GALLEGOS-GONZALEZ, aka: Jose Gonzalez-Galleros, where there is probable cause to believe GALLEGOS-GONZALEZ, committed offenses involving the violation of Title 8, United States Code, § 1325(a).

3. In the course of investigating this matter, I have obtained and reviewed the official Alien File ("A File") pertaining to this individual. The A File is numbered A87 948 331 and is maintained by the ICE/INS. This A File is maintained in the name of Jose Arturo GALLEGOS-GONZALEZ and contains this individual's biographical information, family history, records of encounters with the ICE/INS,

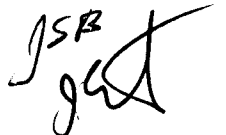
AVSA
JSB


conviction records, photographs and fingerprints. Based on the review of this A File, I have concluded that it does in fact pertain to the individual currently in custody in this matter.

4. The A File reflects the following information relative to this individual:

- a. GALLEGOS-GONZALEZ is a citizen and national of Mexico.
- b. GALLEGOS-GONZALEZ'S date of birth is XXXX XX, XXXX and this affidavit and the Complaint to which it attached correctly reflect GALLEGOS-GONZALEZ'S name.
- c. A thorough search of ICE databases revealed no record exists of GALLEGOS-GONZALEZ'S legal entry into the United States.
- d. On February 29, 2000, GALLEGOS-GONZALEZ was apprehended by the United States Border Patrol, Wellton, Arizona and was voluntarily returned to Mexico.

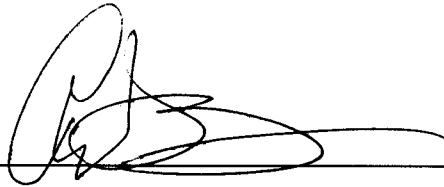
5. Jose Arturo GALLEGOS-GONZALEZ, aka: Jose Gonzalez-Galleros was encountered, on March 12, 2010, by Special Agents from ICE RAC Raleigh. At the time of encounter, ICE agents determined that GALLEGOS-GONZALEZ was a citizen of Mexico and was without any immigration documentation to enter or remain in the United States legally. GALLEGOS-GONZALEZ was transported to the ICE RAC Raleigh office for deportation processing and fingerprint analysis. GALLEGOS-GONZALEZ was interviewed and in the course of the conversation that followed, GALLEGOS-GONZALEZ admitted the

Handwritten signature in black ink, appearing to be "JSB" followed by a stylized flourish.

following:

- a. His name is Jose Arturo GALLEGOS-GONZALEZ.
- b. He is a citizen and national of Mexico.
- c. His date of birth is XXXX XX, XXXX.
- d. He last entered the United States illegally on or about
and unknown date at or near an unknown location.

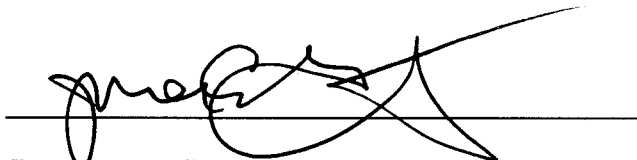
6. Based on all of the foregoing, I, Russell Spruance, believe that there is ample probable cause to conclude that Jose Arturo GALLEGOS-GONZALEZ, aka: Jose Gonzalez-Galleros is in fact guilty of illegal re-entry into the United States in violation of Title 8, United States Code, § 1325(a) and respectfully ask that the Court issue a warrant ordering his arrest for such crime.



Russell Spruance
Special Agent
Immigration and Customs Enforcement

SUBSCRIBED TO AND SWORN TO BEFORE ME

THIS 17 DAY OF March, 2010.



James E. Gates
United States Magistrate Judge
Eastern District of North Carolina

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